



General Assembly

January Session, 2001

Amendment

LCO No. 6830

Offered by:

SEN. BOZEK, 6th Dist.

To: Subst. Senate Bill No. 477

File No. 234

Cal. No. 204

"AN ACT CONCERNING INSURANCE SETTLEMENTS FOR TOTAL LOSS VEHICLES."

1 Strike lines 15 to 23, inclusive, in their entirety and insert the
2 following in lieu thereof:

3 "(b) Whenever a damaged motor vehicle covered under an
4 automobile insurance policy has been declared to be a constructive
5 total loss by the insurer and the vehicle is in the possession of a
6 licensed dealer or repairer, the insurer shall (1) pay the dealer or
7 repairer any outstanding charges, including, but not limited to,
8 towing, storage and authorized repair costs, (2) remove the vehicle
9 from the dealer's or repairer's premises during normal business hours
10 not later than ten days after the insurer settles the claim on the motor
11 vehicle with the vehicle's owner and lienholder, and (3) give written
12 notification to the dealer or repairer at least one business day before
13 the time the insurer intends to remove the vehicle. Not later than one
14 business day after receiving such notification from an insurer, the
15 dealer or repairer shall make the motor vehicle available for removal
16 during normal business hours.

17 (c) (1) If the dealer or repairer fails to make the motor vehicle
18 available for removal as required in subdivision (b) of this subsection,
19 storage fees shall stop accruing as of the date of such failure.

20 (2) Nothing in subsection (b) of this section shall be construed to
21 preclude an insurer that has received written authorization from the
22 owner of a motor vehicle from removing the vehicle from the dealer's
23 or repairer's premises in accordance with an agreement with the dealer
24 or repairer."